



State of Hawaii  
Department of Health  
Clean Water Branch

**Do NOT submit  
this document.**

**Guidelines for CWB-Individual NPDES Form C**

**Guidelines for National Pollutant Discharge Elimination System (NPDES) Individual Permit Application Authorizing Discharges of Storm Water Associated With Construction Activities (as defined in 40 CFR §§122.26(b)(14)(x) and 122.26(b)(15)(i))**

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1. Owner Information

The owner may be the land owner or developer. The acknowledgment of receipt of the NPDES permit application and the NPDES permit will be sent to the street or mailing address provided for this item.

2. Owner Type

If "Other" is checked, indicate the category type or types of the owner.

3. General Contractor Information

Provide the information in this item or check the space provided to indicate that the information will be submitted 30 days before the start of construction activities.

4. Project Information

For projects which are part of a larger plan of development or sale, indicate the project name and the phase(s) of the project. Provide the street address or a description of where the project is located (i.e., 1234 15th Drive or northwest corner of 1st Street and X Avenue). The mailing address may be the mailing address of the project contact person.

5. Receiving State Water(s) Information

a. Receiving State Water(s) Name

- i. If the storm water discharging from the construction site first enters a separate storm drainage system, provide the name of the receiving State water body that the separate storm drainage system enters.
- ii. The discharge point is generally the discharge's point of first contact with receiving State waters. If the discharge first enters a separate storm drainage system, provide the coordinates to the nearest one (1) second for the outfall where the separate storm drainage system enters State waters. If possible, use the Global Positioning System (GPS) or Geographical Information System (GIS) to obtain the coordinates. Otherwise, use a U.S. Geological Survey (USGS) or any other appropriate map to interpolate the coordinates.
- iii. State water classification is available on the Water Quality Standards Map dated October 1987 or in HAR, Chapter 11-54. The maps are available on the CWB website at <http://www.hawaii.gov/doh/eh/cwb/wqsmaps/index.html>. HAR, Chapter 11-54 is available on the DOH website at <http://www.hawaii.gov/doh/rules/11-54.pdf>.

- b. Attach the information requested in Item 5.a. on a separate sheet if there are additional discharge points. Properly label the discharge points with numbers which correspond to the location map(s) and flow chart(s) submitted. If there are multiple inlets to a single discharge point and multiple discharge points, designate which inlet leads to each discharge point.
- c. Discharges applicable to Item 5.c. include any storm water runoff which discharges to the roadway right-of-way and which flows into a separate storm drainage system or initially enters a separate storm drainage system through a direct connection. Provide the coordinates to the nearest one (1) second where the storm water runoff enters the separate storm drainage system or roadway right-of-way. Otherwise, use USGS or any other appropriate map to interpolate the coordinates.

6. Quantity of Storm Water Discharge

Estimate the quantity of storm water runoff during construction when the greatest and/or maximum area of disturbance occurs. Provide the supporting calculations in an attachment.

7. Non-Storm Water Information

a. Source(s) of the Non-Storm Water

Discharge of treated non-storm water into receiving State waters would also need to be covered under the individual permit. List all non-storm water (i.e., dewatering effluent, hydrotesting effluent discharges, wash water from washing down of construction equipment and vehicles, concrete truck drum wash water, runoff from dust control and irrigation, etc.) that may be generated during the construction activity. Discharge of treated non-storm water may require additional forms. Contact the CWB for details.

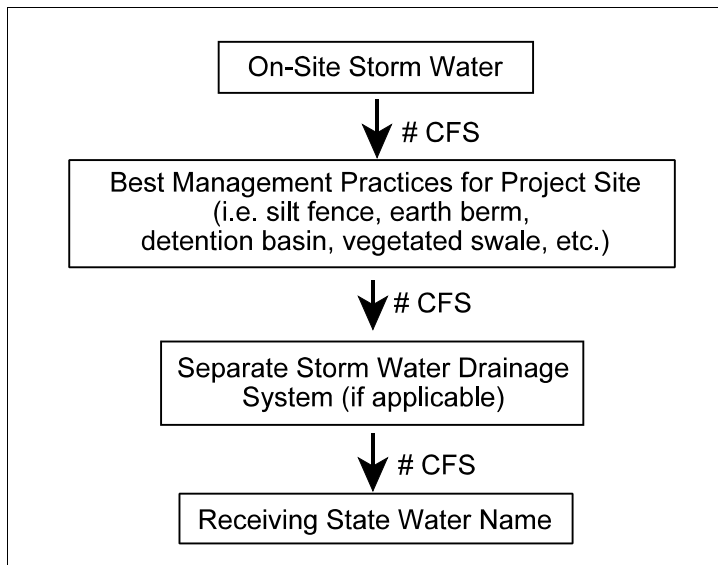
b. Non-Storm Water Handling Method

Describe, in detail, the handling method(s) that will be implemented to prevent the discharge of the non-storm waters or indicate the page number(s) of the Site-Specific BMPs Plan which addresses the treatment of the non-storm water discharge.

8. Location Map

- a. Provide the location map on 8-1/2 by 11 inches sized paper or folded to 8-1/2 by 11 inches. Show at least one mile beyond the property boundaries of the project site on the map. Also show the location of the project site in relation to the island.
- b. The discharge point is generally the first point where storm water from the proposed construction site comes in contact with the receiving State water(s) and/or where the storm water runoff exits the site and enters the roadway right-of-way and then flows into a separate storm drainage system. Indicate the discharge point(s) on a plat map or other appropriate map. Provide identification numbers and coordinates for each discharge point if there is more than one (1) discharge point identified.

## 9. Flow Chart



An example of a line drawing indicating how the water flows through the project site and the approximate amount of flow is shown. Indicate any treatment system(s) or erosion control(s) used. The quantity of discharge contributed by each source (i.e., storm water from four different drainage areas) may be estimated if no data is available.

## 10. Existing or Pending Permits, Licenses, or Approvals

- a. Indicate any additional NPDES Permit number and/or NGPC File number which is associated with this facility.
- b. Provide any Department of the Army (DA) file number associated with the facility.
- c. Provide the Section 401 Water Quality Certification (WQC) file number associated with the DA Permit.
- d. Provide the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD) file number or submit a copy of the transmittal to SHPD. Submit the NPDES permit application to SHPD for review of burial sites, historic burial sites, and native Hawaiian rights in compliance with Hawaii Revised Statutes, Chapter 6E-42(a).
  - i. Failure to comply is a ground for the DOH to find the NPDES permit application incomplete and suspend processing or return the NPDES permit application.
  - ii. Renewals and administrative extensions of NPDES permits do not require SHPD review.
  - iii. If the project, activity, or site to be covered by the NPDES permit application has already been reviewed by SHPD prior to submittal of the NPDES permit application to DOH, the owner or operator shall identify any applicable prior comments, recommendations, or other communications by SHPD and submit copies or a summary of SHPD materials in CWB-Individual NPDES Form C. Extensive materials should be summarized or listed.
  - iv. If the new project, activity, or site to be covered by the NPDES permit application is to be reviewed by SHPD at the time of the submittal to DOH, the owner or operator shall also submit a copy of the NPDES permit application to SHPD for their review.
  - v. Contact SHPD through the information below or check their website for updated contact information at [www.hawaii.gov/dlnr/hpd/hpcontact.htm](http://www.hawaii.gov/dlnr/hpd/hpcontact.htm):

- (1) O`ahu Office
  - (a) Kakuhihewa Building, 601 Kamokila Blvd., Suite 555, Kapolei, Hawai`i 96707
  - (b) Mailing address: P.O. Box 621, Honolulu, Hawai`i 96809
  - (c) Ph: (808) 692-8015
  - (d) Fax: (808) 692-8020
  - (e) E-mail SHPD via DLNR at [dlnr@exec.state.hi.us](mailto:dlnr@exec.state.hi.us)
- (2) Kaua`i Office
  - (a) 5532 Tapa Street, Koloa, Hawai`i 96756
  - (b) Ph: (808) 742-7033
  - (c) Fax: (808) 742-7329
  - (d) E-mail the Archaeology Branch on Kaua`i at [Nancy\\_A\\_McMahon@exec.state.hi.us](mailto:Nancy_A_McMahon@exec.state.hi.us)
- (3) Maui Office
  - (a) 150 Mahalani Street, Wailuku, Hawai`i 96793
  - (b) Ph: (808) 243-5169
  - (c) Fax: (808) 243-5838
  - (d) E-mail the Archaeology Branch on Mau`i at [Melissa\\_A\\_Kirkendall@exec.state.hi.us](mailto:Melissa_A_Kirkendall@exec.state.hi.us).
- (4) Hawai`i Island Office
  - (a) P.O. Box 67, Hilo, Hawai`i 96720
  - (b) Ph: (808) 933-0482
  - (c) Fax: (808) 933-0483
  - (d) E-mail the Archaeology Branch on Hawai`i at [Patrick\\_C\\_McCoy@exec.state.hi.us](mailto:Patrick_C_McCoy@exec.state.hi.us).

e. Others (i.e., Underground Injection Control file number)

#### 11. Construction Site Characterization

Provide the information requested.

#### 12. Construction Site Area

If construction will be done in phases, indicate the area(s) required for each phase of a multi-phase construction project on a separate sheet for Item 12.a., b., and c.

- a. Total area of the site is the total area of the property(ies).
- b. Area of the site that is expected to undergo any disturbance, including, but not limited to excavation, grading, equipment staging, and storage areas.
- c. Impervious area of the disturbed portion of the site after construction is completed is the area covered by asphalt, concrete, buildings, or any other impervious material.

#### 13. Construction Best Management Practices (BMPs) Plan

If this entire item is completed with the project's site-specific information, it may be considered to be the Site-Specific Construction BMPs Plan. If any portion of the information requested is not completed or is a general response, this item will NOT be considered to be the Site-Specific Construction BMPs Plan.

- a. Project Site Map
  - i. If construction will be done in phases, provide a phasing map identifying each phase of the multi-phase construction project and the boundaries of each phase as required in Item 13.a.i.
  - ii. Attach a site map(s) (i.e., site plan, grading plan, drainage plan, erosion control plan, etc. folded to 8-1/2 by 11 inches) which shows the information requested in Items 13.a.ii.(1) through 13.a.ii.(10) of CWB-Individual NPDES Form C.
    - (1) Items 13.a.ii.(1) through 13.a.ii.(6) shall be submitted with the NPDES permit application.
      - (a) For Item 13.a.ii.(2) - Indicate the areas of soil disturbance (i.e., limits of grading, project area).
      - (b) For Item 13.a.ii.(3) - Indicate the project's drainage pattern(s) with flow arrows on a map showing the existing and finished grade contours (i.e., grading plan).
    - (2) If Items 13.a.ii.(7) through 13.a.ii.(10) are not available at the time of submittal, the information may be submitted at least 30 days before the start of construction activities.
      - (a) For Item 13.a.ii.(7) - Indicate the areas used for staging, storage, and/or stockpiling.
    - (3) If more than one map is submitted, indicate the map name that shows the item.
  - iii. If any items are not applicable, indicate them by number in Item 13.a.iii.
  - iv. Indicate which items will be submitted 30 days before the start of construction activities in Item 13.a.iv.
- b. The construction BMPs plan shall describe methods to minimize erosion of soil and discharge of other pollutants into State waters and, after completion of the construction activity, removal procedures for the construction site BMPs. The control measures shall be designed, implemented and maintained in a manner to properly isolate and confine the construction activities and to contain and prevent the potential pollutant(s) discharges from impacting the State water quality.
  - i. Construction Activity - Describe the nature of the construction activity.
    - (1) What is to be constructed and the construction sequence?
    - (2) If the project is a multi-phase construction project, include a list of each phase.
    - (3) What type of materials and heavy equipment will be used for the construction activity?
  - ii. Quality of Discharge - Describe the nature of the fill material to be used and existing data describing the soil or the quality of any discharge from the project site.
  - iii. Potential Pollutant(s) - Identify all the potential pollutant(s) that will be generated by the proposed construction activities and show the location(s) of the proposed control measures or treatment, as applicable. These pollutants may include, but are not limited to:

- (1) Construction debris, removed vegetation;
  - (2) Discharges associated with the operation and maintenance of the equipment, such as oil, fuel and hydraulic fluid leakage;
  - (3) Soil erosion from the disturbed areas and stockpile areas;
  - (4) Any non-storm water discharges, that are not described under Item 7; and
  - (5) Location(s) of oil, fuel or any hazardous material storage site(s) and containment structure(s).
- iv. Controls for Land Disturbances - The owner and/or general contractor shall comply with the following Special Conditions for Land Disturbances (from HAR, Chapter 11-55, Appendix C). The Department suggests including the following language in the BMPs plan. It may be amended to be site-specific (i.e., type of cover to be used).

"The following special conditions apply to all land disturbance work conducted under this general permit:

(a) Construction Management Techniques

- (1) Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
- (2) Construction shall be sequenced to minimize the exposure time of the cleared surface area.
- (3) Construction shall be staged or phased for large projects. Areas of one phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.
- (4) Erosion and sediment control measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- (5) All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within twenty-four hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. The permittee shall maintain records of checks and repairs.
- (6) The permittee shall maintain records of the duration and estimated volume of storm water discharge(s).
- (7) A specific individual shall be designated to be responsible for erosion and sediment controls on each project site.

(b) Vegetation Controls

- (1) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than twenty calendar days prior to land disturbance.
- (2) Temporary soil stabilization with appropriate vegetation shall be applied on areas that will remain unfinished for more than thirty calendar days.

- (3) Permanent soil stabilization with perennial vegetation or pavement shall be applied as soon as practical after final grading. Irrigation and maintenance of the perennial vegetation shall be provided for thirty calendar days or until the vegetation takes root, whichever is shorter.

(c) Structural Controls

- (1) Storm water flowing toward the construction area shall be diverted by using appropriate control measures, as practical.
- (2) Erosion control measures shall be designed according to the size of disturbed or drainage areas to detain runoff and trap sediment.
- (3) Water must be discharged in a manner that the discharge shall not cause or contribute to a violation of the basic water quality criteria as specified in section 11-54-04."

- v. Erosion and Sediment Control Requirements - If applicable, submit the county-approved erosion and sediment control plan as appropriate for the activity and a schedule for implementing each control with the NPDES permit application or 30 days before the start of construction activities.
- vi. Construction Schedule - Attach the proposed construction schedule which shall include, at a minimum:
  - (1) The date when the general contractor will begin and end the site disturbance;
  - (2) Dates when erosion control measures will be implemented and removed; and
  - (3) The dates when major construction activities begin and end.

- c. The site-specific construction BMPs plan shall be submitted as an attachment to CWB-Individual NPDES Form C or 30 days before the start of construction activities. If there are items of the facility site map listed in Item 13.a.iv., your construction BMPs plan is **not** considered site-specific. The control measures proposed in the site-specific construction BMPs plan shall be site and project specific. If the site-specific construction BMPs plan is submitted at a later date, it must be signed in accordance with HAR, Section 11-55-07. The site-specific construction BMPs plan must be kept at the construction site.

14. Post-Construction Pollutant Control Measures

Examples of measures that will minimize the discharge of pollutants via storm water discharges after construction operations have been finished include: hydro-mulch or landscape all of the exposed areas; vegetate swales and natural depressions; structures for storm water retention, detention, or recycling; velocity dissipation devices to be placed at the outfalls of detention structures or along with the length of outfall channels; or other appropriate measures.

15. Additional Information

Any other site-specific information pertaining to the project may also be provided in this section. Additional sheets may be attached with reference to Item 15.

16. Authorization of Representative

- a. Alteration of the text in this item will result in the invalidation of the authorization statement(s).



- b. Authorization statements are provided for the owner to complete as required. Options include statement "a" or "b" or "c" or "a and c" or "d."
  - i. Option "a": This authorization begins with NPDES permit application processing and ends upon the owner's receipt of the NPDES Permit.
  - ii. Option "b": This authorization begins with NPDES permit application processing and ends upon termination of the discharge to State waters.
  - iii. Option "c": This authorization begins upon the owner's receipt of the NPDES Permit and ends upon termination of the discharge to State waters.
  - iv. Option "d": If authorization statements "a," "b," and/or "c" do not meet the intent of the authorization, the owner or its duly authorized representative may attach a separate authorization statement specifying the limited authorization of the representative.
- c. Additional information will be requested from the authorized representative (with a copy to the owner) at the street or mailing address or phone or fax number provided for this item, as applicable.
- d. Provide the duly authorized representative's information in the applicable item(s). There shall be only one duly authorized representative at any time. The designated duly authorized representative may be changed by the owner at any time during the processing of the CWB-Individual NPDES Form or the term of the NPDES Permit. The duly authorized representative will no longer be authorized effective on the date of receipt of any new authorization statement from the owner.
- e. Pursuant to HAR, Section 11-55-07(b), all other reports or responses to requests for information required by the director shall be signed by a person designated in HAR, Section 11-55-07(a) or by a duly authorized representative of that person.
- f. HAR, Sections 11-55-07(b) and (c) state:
  - "(b) ... A person is a duly authorized representative only if:
    - (1) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.);
    - (2) The authorization is made in writing by a person designated under subsection (a); and
    - (3) The written authorization is submitted to the director.
  - (c) If an authorization under subsection (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection (b) must be submitted to the director prior to or together with any reports, information, or NPDES permit applications to be signed by an authorized representative."

## Additional Guidelines

### I. Construction Activities

- A. This NPDES Permit shall cover discharges composed of storm water runoff associated with construction activities, including clearing, grading, and excavation that result in the disturbance of one (1) acre or more of total land area. This permit also covers activities that disturb less than one (1) acre of total land area that are part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more of total land area (40 CFR §122.26(b)(15)).
1. A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan. The following are examples of activities which are and are not considered to be a "common plan of development or sale:"
    - a. A 20-acre lot which a developer plans to build the infrastructure and intends to construct homes or other structures sometime in the near future would be considered to be a "common plan of development or sale" if the homes or other structures are included on the developer's original site plan.
    - b. A 20-acre lot which a developer plans to build the infrastructure and sell the parcels (which are less than one (1) acre) to separate, independent builders would be considered to be a "part of a larger common plan of development" if the homes or other structures are included on the developer's original site plan. The separate, independent builders would be required to obtain NPDES Permit coverage.
    - c. A 20-acre lot which a developer plans to build the infrastructure and sell the parcels (which are less than one (1) acre) to separate, independent builders would not be considered to be a "part of a larger common plan of development" if the homes or other structures are not included on the developer's original site plan. The separate, independent builders would not be required to obtain NPDES Permit coverage.
  2. My Project Will Disturb Less Than One Acre, but It May Be Part of a "Larger Common Plan of Development or Sale." How Can I tell and What Must I Do?

If your smaller project is part of a larger common plan of development or sale that collectively will disturb one (1) or more acres (e.g., you are building on three (3) half-acre residential lots in a 10-acre development or are putting in a parking lot in a large retail center) you need permit coverage. The "plan" in a common plan of development or sale is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. You must still meet the definition of operator in order to be required to get permit coverage, regardless of the acreage you personally disturb. As a subcontractor, it is unlikely you would need a permit (63 FR 7859-7860).
  3. When Can You Consider Future Construction on a Property To Be Part of a Separate Plan of Development or Sale?

In many cases, a common plan of development or sale consists of many small construction projects that collectively add up to one (1) or more acres of total disturbed land. For example, an original common plan of development for a residential subdivision

might lay out the streets, house lots, and areas for parks, schools and commercial development that the developer plans to build or sell to others for development. All these areas would remain part of the common plan of development or sale until the intended construction occurs. After this initial plan is completed for a particular parcel, any subsequent development or redevelopment of that parcel would be regarded as a new plan of development, and would then be subject to the one-acre cutoff for storm water permitting purposes (63 FR 7860).

## II. Availability of NPDES Permit Applications

The NPDES permit applications are WordPerfect and MSWord documents. Hard copies and electronic files are available. The NPDES permit applications and guidelines may be downloaded from the CWB website at [www.hawaii.gov/doh/eh/cwb/forms.html](http://www.hawaii.gov/doh/eh/cwb/forms.html) in Adobe Acrobat, MSWord, and/or WordPerfect formats.

## III. Inquiries and Submittals

- A. Questions should be directed to the Engineering Section of the CWB at (808) 586-4309 or fax number (808) 586-4352. Submissions should be directed to the street or mailing address listed below:
  1. Street Address  
Clean Water Branch  
State Department of Health  
919 Ala Moana Boulevard, Room 301  
Honolulu, Hawaii 96814-4920
  2. Mailing Address  
Clean Water Branch  
State Department of Health  
P.O. Box 3378  
Honolulu, Hawaii 96801-3378
- B. For projects on Oahu, submit two (2) copies of the NPDES permit application and supporting documents. One copy of the NPDES permit application shall include the owner's original signature.
- C. For projects on the island of Hawaii, submit four (4) copies of the NPDES permit application and supporting documents. One copy of the NPDES permit application shall include the owner's original signature.
- D. For projects located on islands other than Oahu and Hawaii, submit three (3) copies of the NPDES permit application and supporting documents. One copy of the NPDES permit application shall include the owner's original signature.
- E. The submittal date is the date the CWB receives the NPDES permit application. Any construction activity which results in the disturbance of greater or equal to one (1) acre shall submit an NPDES permit application at least 180 days before the construction activity begins. The complete NPDES permit application(s) for discharges of hydrotesting water, dewatering effluent, etc. shall be submitted at least 180 days before the proposed starting date of any discharge activities or before the potential discharge of pollutants to State waters.
- F. Retain a copy of the NPDES permit application and supporting documents for the owner's or operator's or duly authorized representative's records.

#### IV. Filing Fee

- A. Every owner or operator, including federal, state, and county government agencies, seeking coverage under an NPDES Permit shall pay a filing fee of \$1,000.00 to the CWB.
- B. The filing fee shall be submitted with the NPDES permit application and shall be made payable to the "State of Hawaii" in the form of a cashier's check or money order.
- C. The filing fee shall not be refunded nor applied to any subsequent NPDES permit application or NPDES General Permit Notice of Intent Form(s).

#### V. Completeness of the NPDES Permit Application

- A. The NPDES permit application will not be considered complete unless every item is appropriately addressed. If an item does not apply, enter "N/A," for "not applicable," to show that the item was considered.
- B. An incomplete NPDES permit application will delay the issuance of the permit. The CWB-Individual NPDES Form C shall be submitted with the CWB-NPDES Signatory and Certification to NPDES Permit Applications and EPA Form 1.

#### VI. Supporting Documents (Attachments to the NPDES Permit Application)

If reference is made in the NPDES permit application to attached supporting documents, the referencing statement should be written as follows, "Refer to Attachment No. \_\_, entitled "\_\_\_\_\_", dated \_\_\_\_, on page \_\_\_\_, and paragraph \_\_\_\_, " with the blanks filled in as applicable. In addition, a separate list of all attached supporting documents shall be submitted with the NPDES permit application.

#### VII. Notification

- A. Acknowledgment of NPDES Permit Application: The Director will notify the owner or operator or its duly authorized representative of receipt of the NPDES permit application.
- B. An NPDES Permit may be issued for a term of five (5) years or less.
- C. See the "NPDES Individual Permit Coverage Processing Flowchart" dated June 17, 1997 on the last page.

#### VIII. Abbreviations and Acronyms

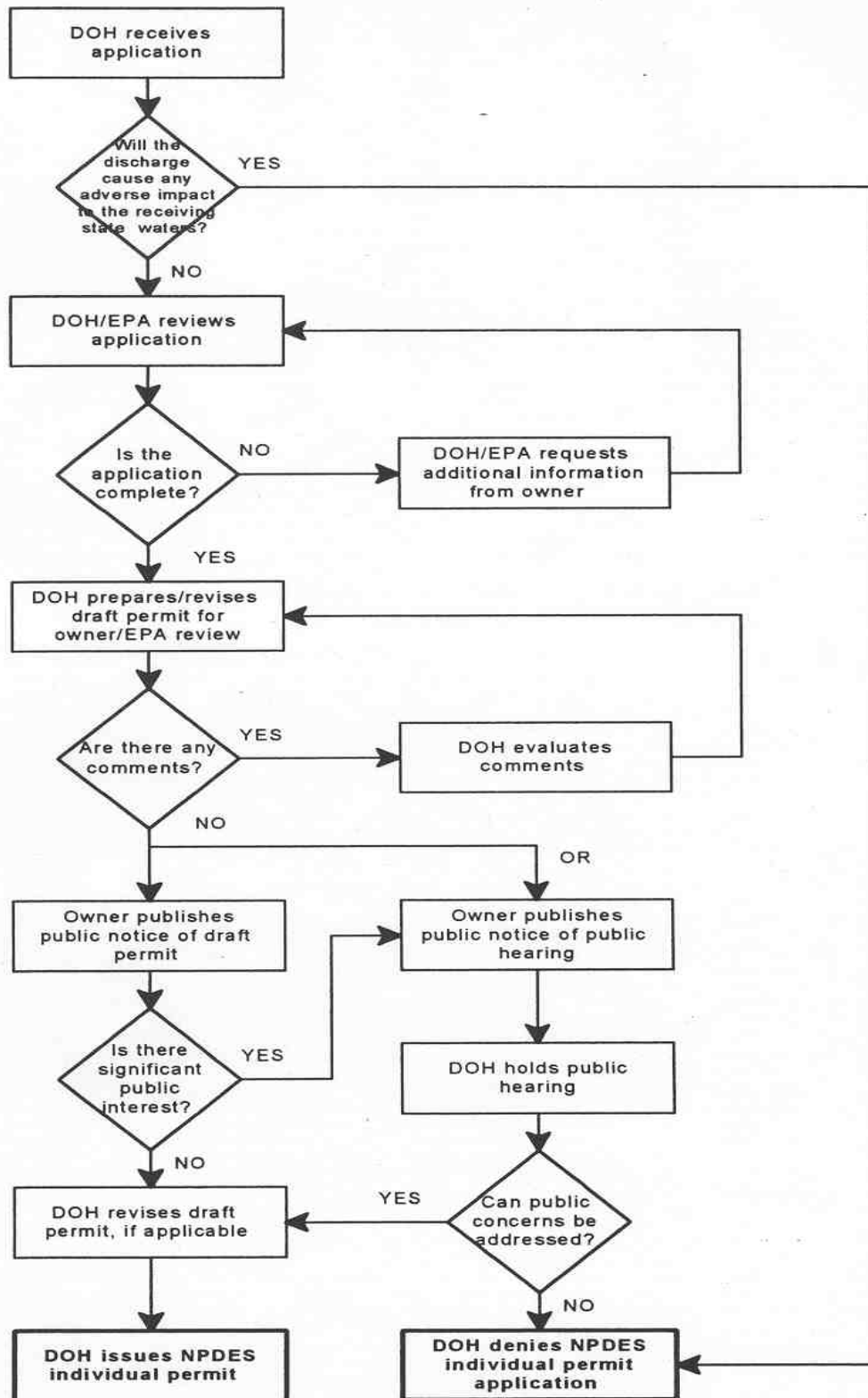
##### A. Documents

BMPs	-	Best Management Practices
CFR	-	Code of Federal Regulations
CWA	-	Clean Water Act
CWB	-	Clean Water Branch of the Department of Health, State of Hawaii
DA	-	Department of the Army (U.S. Army Corps of Engineers issues a DA Permit under Section 404 of the CWA)
DOH	-	State of Hawaii, Department of Health
FR	-	Federal Regulations
HAR	-	Hawaii Administrative Rules
HRS	-	Hawaii Revised Statutes
NGPC	-	Notice of General Permit Coverage
NPDES	-	National Pollutant Discharge Elimination System
SARA	-	Superfund Amendment and Reauthorization Act
WQC	-	Water Quality Certification (issued by the Clean Water Branch - Section 401 of the CWA)

B. Units

- cfs - cubic feet per second
- mgd - million gallons per day
- SF - square foot or square feet

## NPDES Individual Permit Processing Flowchart



06-17-97